

Superfund Program Implementation Manual FY 06/07

Chapter II: Program Planning and Reporting Requirements

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Chapter II: Program Planning and Reporting Requirements

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CHAPTER II: PROGRAM PLANNING AND REPORTING REQUIREMENTS

II.A. INTRODUCTION

The Government Performance and Results Act (GPRA) establishes a general framework within which the Agency plans its activities. It focuses the Agency on planning strategically (in consultation with both internal and external customers), developing annual performance plans with annual performance goals, and carrying out regular program evaluations to ensure these goals are met effectively and efficiently.

The Office of Superfund Remediation and Technology Innovation (OSRTI), the Office of Site Remediation Enforcement (OSRE), the Federal Facilities Enforcement Office (FFEO), the Office of Emergency Management (OEM) and the Federal Facilities Restoration and Reuse Office (FFRRO) are responsible for overall program planning, including implementing the requirements of GPRA and reporting on Superfund program accomplishments. *The Superfund Comprehensive Accomplishments Plan (SCAP) is the process by which the Assistant Administrator for the Office of Solid Waste and Emergency Response (AA OSWER), the Assistant Administrator for the Office of Enforcement and Compliance Assistance (AA OECA), and senior Superfund managers monitor progress towards meeting GPRA annual performance goals.* In addition, SCAP will continue to be used as a management tool to project and track activities that contribute to these GPRA goals and support resource allocation. Regions should continue to plan and report accomplishments in WasteLAN in accordance with this Manual as they have done traditionally.

To more clearly explain the relationship between GPRA and the SCAP process, GPRA annual performance goals and measures and program targets and measures are defined as follows:

- **GPRA Annual Performance Goals (APG) and GPRA Annual Performance Measures (APM)** - The Agency's Annual Plan describes the specific annual performance goals, annual measures of outputs and outcomes, and activities aimed at achieving the performance goals that will be carried out during the year. APGs are the goals set for the specific activities that the Agency plans to conduct during the fiscal year in an effort towards achieving its long-term strategic goals and objectives. APMs are used by managers to determine how well a program or activity is doing in achieving these goals. The annual performance goals inform Congress and Agency stakeholders of the expected level of achievement for the significant activities covered by the GPRA objective. GPRA APGs and APMs are a subset of the overall planning and budgeting information that has traditionally been tracked by the Superfund program offices.
- **Program Targets and Measures** cover activities deemed essential to overall program progress. Program targets project the number of actions that each region is expected to perform during the year and are used to evaluate progress in achieving program priorities. Program measures are parameters established for evaluating these program priorities. Targets are set for the various program measures. A subset of these program measures will be selected for work planning purposes.

Successful planning requires the inclusion and accurate costing of program priorities in the budget and workload model, and translation of the priorities and resource requirements into specific commitments via the SCAP. Candid evaluation of performance against these commitments is essential to assess program priorities, resource requirements, and overall program effectiveness.

II.B. INTEGRATED PLANNING

Integrated planning is the responsibility of HQ and regional program offices, regional finance offices, the states, tribes, the Offices of Regional Counsel (ORC), Department of Justice (DOJ), and other [federal](#) agencies. Information on planned activities should also be coordinated with the affected communities, Natural Resources Trustees and the Agency for Toxic Substances and Disease Registry (ATSDR). To provide adequate resources to achieve Superfund's GPRA objectives and sub-objectives, HQ allocates resources within and [among](#) the response, enforcement, and Federal facilities programs. Regions are responsible for providing data on the level of resources needed to accomplish those priority activities and negotiate commitments consistent with realistic site planning. Regions should not set or accept targets that require completion of activities that cannot be funded or staffed within the resources provided. This requires regions to reconcile FY 06/07 targets and their Superfund pipeline with the financial operating plan proposed by HQ.

Flexibility is greatest in the budget planning years. Realistic out year planning data (milestones and funding needs) allows HQ to prepare requests for resources based on regional needs. Exhibit II.1 summarizes levels of flexibility as the operating year is entered. Major phases in the decision making continuum include:

- *Formulation of the out year GPRA annual performance plan and budget occurs 12 to 18 months prior to the fiscal year (FY).* The GPRA annual performance plan includes objective, results-oriented, quantifiable, and measurable performance goals; resources necessary to meet goals; performance indicators to assess outputs, services, and outcomes; and verification and validation procedures. Development of the budget includes identification of major program issues, analysis of program costs, and alignment of resources among competing priorities. Activities receive resource allocations that are established by the Administrator and the Assistant Administrator for the Office of Solid Waste and Emergency Response (AA SWER) or the Assistant Administrator for the Office of Enforcement and Compliance Assurance (AA OECA).
- *Development of the initial operating plan occurs six months prior to the FY and generally is finalized early in the FY.* OSWER and OECA provide resources to support the program through the Advice of Allowance (AOA) and workload process. Regions are expected to work within the annual regional budgets established at the start of the year until the mid-year evaluation. Regions have flexibility within the general budget and AOA structure to shift funds as needed to meet priority activities (See Chapter III for additional information on shifting funds). Once the operating plan is established at the start of the year, additional resources generally can be shifted to a region only at the expense of resources from other regions. However, HQ may shift funds among the regions depending on the level of use and need.
- *Use of the mid-year evaluation to realign resources in the current FY.* Current year resource adjustments focus on changes needed due to cost and project schedule modifications. Changes may result in shifts within program areas and among regions, and revised annual funding levels. Estimates developed in April/May for the upcoming FY represent the first formal opportunity for changing resources among program areas at a national level. The revised resource estimates also serve as a "baseline" for examining program needs in the budget year.

Exhibit II.1 describes the information flow and HQ and regional responsibilities associated with integrated planning.

EXHIBIT II.1.
FLEXIBILITY SCALE FOR BUDGETING/PLANNING

? Minimum			Maximum ?
Operating Year Budget (FY 06)	Planning Year Budget (FY 07)	Out-Year Budget (FY 08)	
Operating Plan establishes funding ceiling.	Development of Operating Plan begins 6 months prior to FY and is based on prior year obligations and regional projections for the upcoming years.	Formulation begins 12-18 months prior to FY; largely dependant on regional planning data in WasteLAN.	
Annual targets are set - Targets can be changed only through a written request from the regional division director to the OSRTI, OECA, or FFRRO office directors.	Regional GPRA annual performance goals finalized in <u>August</u> .	<u>Preliminary</u> national targets are set based on schedules and estimated costs for program activities, which drive budget requests.	
Additional funds can only be obtained through special requests.	The budget is set but there is more leeway to make adjustments based on proven need.	Budget is constrained based on resources cap imposed by AA and Administrator unless exception can be justified.	
Regions have <u>some</u> flexibility within general budget and AOA structure to shift funds to meet priority activities.	Regions request funds to meet GPRA annual performance and regional pipeline goals.	Maximum flexibility to design budget to optimize cross-program priorities.	
Mid-year evaluations used to realign current year resources.	Final GPRA annual performance goals set final resource levels.	N/A	
Resources for <u>fund lead remedial</u> actions will be funded based on the Priority Panel decisions.	<u>Fund-lead remedial</u> candidate sites are identified for the Priority Panel	N/A	

EXHIBIT II.2.
HQ/REGIONAL INTEGRATED PLANNING RESPONSIBILITIES

Regional Responsibilities	HQ Responsibilities
<p>Manage projects to integrate enforcement and Fund milestones and to ensure schedules and time lines are met</p> <p>Involve the states, ORC, and finance offices in the planning process</p> <p>Provide accurate, complete, and timely project planning data in WasteLAN</p> <p>Follow established planning procedures and requirements so that HQ has a common basis with which to evaluate regional proposals (See Chapter III and the Appendices)</p> <p>Identify multi-media planning and cleanup opportunities</p> <p>Achieve program commitments</p> <p>Improve financial management by identifying potential unused funds and returning them to HQ within reasonable time frame for redistribution</p>	<p>Establish a combined fund, enforcement, and Federal facilities hierarchy of program priorities in consultation with the regions to be used in work planning and adjustment of targets reflected in OSWER NPM guidance</p> <p>Review integrated operating plans and site commitments proposed by the regions prior to work planning</p> <p>Coordinate OSWER, OECA, DOJ, Financial Management Division (FMD), and the Office of Administration and Resources Management (OARM) activities throughout the planning process</p> <p>Work with regional managers to formulate preliminary resource requests and determine how resources should be adjusted to meet program priorities</p> <p>Communicate with the regions on changes/additions to site schedules</p> <p>Provide funding consistent with each region's active pipeline phases, shifting regional resources if needed to support priority activities</p> <p>Develop policy and guidance in response to Congressional or Agency initiatives</p>

II.C. INTRODUCTION TO THE SUPERFUND COMPREHENSIVE ACCOMPLISHMENT PLAN (SCAP)

The SCAP process is used by the Superfund program to plan, budget, track, and evaluate progress toward achieving Superfund GPRA objectives and sub-objectives. The SCAP planning process is a dynamic, ongoing effort that [is the foundation \(or central feature\) of](#) Superfund resource allocation and program evaluation. Planned obligations and reporting of GPRA annual performance goals and measures are generated through SCAP and influence the Superfund budget and evaluation process. Such planning is a day-to-day responsibility of the regions. An annual process has been established through which HQ and regions formally develop work plans for the future. WasteLAN serves as the conduit for the SCAP process by providing both HQ and regions with direct access to the same data. Through WasteLAN, reports can be produced allowing for daily interactive updates of planning and site cleanup progress information.

II.D. RELATIONSHIP OF SCAP TO OTHER MANAGEMENT TOOLS

The SCAP process is crucial to Superfund program planning, tracking, and evaluation. As the Superfund program's central planning mechanism, it is interrelated with all Agency and Superfund program specific planning and management systems, including the GPRA annual performance plan, the Superfund budget, Agency Operating Plan and the Superfund workload models. GPRA annual performance goals are designed to reflect the Agency's Strategic Plan and its goals, objectives, and sub-objectives for the upcoming year. In some cases, new data categories are developed or the projections for activities are adjusted to match these goals.

II.D.1. Management Tools

Most of the Superfund program's budget is based on planning and accomplishment data recorded in WasteLAN. The operating year's budget is developed 18 months prior to its beginning. For example, data recorded for the second quarter of FY 06 or earlier will be used to formulate the FY 08 budget. The site schedules reflected in WasteLAN serve as the foundation for determining out year budget priorities, such as the dollar levels to be requested in the budget. Because dollars for Fund-financed remedial actions (RAs) dominate the overall Superfund budget, it is critical that the regions identify RA candidates and projected funding needs. Cost estimates for RAs should be derived using the best available information (i.e. draft feasibility study, record of decision, or RD estimates).

In FY 06/07, each region's FTE distribution continues to be frozen at the FY 90 distribution ratio. While the freeze ensures that the total regional Superfund resources are not affected, shifting of resources within the region among the different program areas to support Agency/regional program priorities may occur. All shifts will be based on the national budget (see Chapter III) and program priorities (see Chapter I and Appendices). Guidance for reprogramming between Program Results Codes (PRCs) is provided in the Agency's operating plan.

II.D.2. Superfund Information Systems

Effective management of the Superfund program requires the availability of accurate information on Superfund sites throughout the country. CERCLIS was developed in the mid-1980s as an integrated data system to hold national site assessment, remedial, removal, enforcement, and financial information.

II.E. OVERVIEW OF THE PLANNING PROCESS (SCAP)

The SCAP process generates data that fulfill the following functions:

- Tracking of accomplishments against GPRA annual performance goals and measures and program targets,
- Updating planning assumptions (schedules and funds) for the current FY,
- Developing planning data for the upcoming FY, and
- Providing data for out-year budget planning purposes.

The SCAP planning process follows a semi-annual work planning schedule. The cycle begins in late March/April with a review of program progress and ends with a formal work planning session in July/August. Therefore, it is essential that planning and accomplishment data in WasteLAN remain current and up-to-date throughout the year and accomplishments be reported as soon as they occur. Regional programs are responsible for the quality of data in WasteLAN. Site schedules and financial planning information should be reviewed and updated on an ongoing basis (at a minimum on a monthly basis). Note: All NPL sites should be planned out through the deletion date as early as possible. By the time of the completion of a ROD, a site should have all planned dates entered into WasteLAN. As conditions change, the dates should be updated accordingly.

Following is a summary of the SCAP planning cycle for non-Federal facilities:

II.E.1. Planning Year

- *Third Quarter* - Regions continue their site planning using WasteLAN. The regions should focus on their individual pipeline, the overall goals and priorities of the program as identified in OSWER WPM Guidance, and how they can achieve their portion of the national effort given proposed resources. In May, Headquarters issues a Call Memorandum that outlines the process and the procedures for the upcoming work planning sessions. The memorandum will include the finalized AOA structure, GPRA annual program performance targets, and procedures to be used for developing the upcoming year's operating plan.
- *Fourth Quarter* - Headquarters pulls actual data for the current fiscal year and planning data for the next two fiscal years from WasteLAN on the fifth working day in July.

OSRTI reviews the CERCLIS data and begins to develop a funding plan for the Remedial Action Advice of Allowance (AOA). OSRTI also uses these data to develop a draft Pipeline Operations AOA allocation that the regions use to develop initial pipeline-related targets for the upcoming year.

OSRE allocates the initial operating budget for technical enforcement for the upcoming fiscal year based on each region's share of the usage rate for enforcement activities. Legal enforcement funds are allocated equally between all ten regions. See Chapter 3 Section C for a more complete discussion on how funds are allocated.

- *July/August* - Regional work planning sessions will establish regional budgets and targets and the operating plan for the fiscal year.

II.E.2. Operating Year

- *Fourth Quarter (Planning Year) / First Quarter (Operating Year)* - Headquarters will meet with the regional division directors to discuss the FY 06/07 region-specific commitments and allocation of regional funds based on the national GPRA annual program performance targets. The Superfund Federal Facilities Response Program will issue a memo that outlines regional commitments and allocation of funds to both the regional division directors and the Superfund Federal Facility Program Managers.
- *Third Quarter* - At mid-year, Headquarters and the regions will discuss regional progress in achieving negotiated targets and regional budget utilization (obligation rates). Based on these discussions, remaining funds will be allocated to the regions to ensure program targets are achieved. In some cases, this may involve a reallocation and shifting of programmatic resources among regions. Enforcement extramural budget carryover amounts are calculated and the fiscal year regional enforcement budget allocation is finalized.

Regions are required to manage their funds and operate within the annual budgets established. Non-RA funds within the region's budget may be reprogrammed to meet unexpected needs.

II.F. CHANGE CONTROL REQUIREMENTS

Stability in the SCAP process through the year is essential to the success of planning and accomplishment reporting/evaluation procedures. The following procedures are used to control changes to items in SCAP:

- Changes (including additions or deletions) to targets, measures, definitions, methodologies, planning processes, accomplishment reporting, financial management, or any other process described in this Manual must be presented to the division director by the program office proposing the change, and receive the comments/concurrence of OEM, OSRE, OSRTI, FFRRO, and FFEO,
- All proposed changes must be sent to the regions and all other program offices for review and comment prior to implementation, and
- The decision on whether to proceed with the proposed change must be documented in writing. Copies of all final decisions should be provided to all program offices and regions. If the proposed change will be implemented, an addendum to the Superfund Program Implementation Manual may be issued.

II.G. HQ/REGIONAL ROLES AND RESPONSIBILITIES

II.G.1. Maintaining Planning/Accomplishment Data in WasteLAN

Exhibit II.3 describes the HQ/regional responsibilities for maintaining planning and accomplishment data in WasteLAN.

The Information Management Coordinator (IMC) is a senior position which serves as regional lead for all Superfund program and WasteLAN systems management activities. The following lead responsibilities for regional program planning and management rest with the IMC:

- Coordinate program planning, budget development, and reporting activities;
- Ensure regional planning and accomplishments are complete, current, and consistent, and accurately reflected in WasteLAN by working with data sponsors and data owners;
- Provide liaison to HQ on SCAP process and program evaluation issues;
- Coordinate regional evaluations by Headquarters;
- Ensure that the quality of WasteLAN data is such that accomplishments and planning data can be accurately retrieved from the system; and,
- Ensure there is “objective” evidence to support accomplishment data entered in WasteLAN.

Objective Evidence Rule: “All transactions must be supported by objective evidence, that is, documentation that a third party could examine and arrive at the same conclusion.”

**EXHIBIT II.3.
HQ/REGIONAL SCAP AND WASTELAN RESPONSIBILITIES**

Regional Responsibilities	HQ Responsibilities
<p>Planning and scheduling all actions from site assessment and PRP search through NPL deletion <u>and beyond</u>.</p> <p>Keeping planning and accomplishment data in WasteLAN up-to-date, including updating site schedules established at the ESI/RI stage and cost estimates for remedial actions when better planning data become available.</p> <p>Reporting accomplishments in WasteLAN as they occur.</p> <p>Entering and maintaining quarterly planning, budget, and accomplishment reporting for non-site specific activities.</p> <p>Preparing change requests.</p> <p>Tracking and maintaining the enforcement extramural budget and the Federal facilities <u>programmatic</u> budget.</p> <p>Ensuring there is “objective” evidence to support accomplishment data entered in WasteLAN.</p>	<p>Negotiating final GPRA annual performance goals with regions.</p> <p>Determining the AOA based on planned activities in WasteLAN.</p> <p>Responding to regional requests for changes in plans through the change requests process.</p> <p>Utilizing WasteLAN to obtain budget and other Superfund site information to respond to special requests for information and planning data.</p> <p>Communicating with regions and HQ offices regarding changes in budget, SCAP process, Superfund Program Implementation Manual, and other program guidance that will impact WasteLAN, and subsequently implementing these changes in WasteLAN.</p> <p>Ensuring there is “objective” evidence to support accomplishment data entered in WasteLAN by performing periodic reviews of a random CERCLIS data sample.</p>

The Budget Coordinator serves as the regional lead for all Superfund program resource activities. The Budget Coordinator:

- Coordinates the planning, development, and reporting of resources;
- Coordinates the planning and execution of regional priorities;
- Communicates and implements national and regional Superfund budget policies;
- Helps IMC to ensure regional resources associated with accomplishments are complete, current, and consistent, and accurately reflected in WasteLAN; and
- Provides liaison to HQ on program issues.

With the implementation of WasteLAN, two roles, Data Sponsor and Data Owners, were identified for improving the quality of data stored in WasteLAN. Data Sponsors include the senior staff in program offices in Headquarters. Both Headquarters and the regions are Data Owners. Following are the responsibilities assigned to each of these roles:

- ***Data Sponsors***
 - Identify data needs;
 - Oversee the process of entering data into the system;
 - Use data for reporting purposes

-
- Conduct focus studies of data entered; (NOTE: A focus study is where a data sponsor identifies a potential or existing data issue to a data owner (see below), IMC, or other responsible [person](#) to determine if a data quality problem exists, and to solve the problem, if applicable. Focus studies can be informal via electronic messages.
 - Provide definitions for data elements,
 - Promote consistency across the Superfund program,
 - Initiate changes in WasteLAN as the program changes,
 - Provide guidance requiring submittal of these data,
 - Support the development of requirements for electronic data submission, and
 - Ensure there is “objective” evidence to support the accomplishment data entered in WasteLAN through identifying data requirements and check to assure compliance by performing periodic reviews of a random CERCLIS data sample.
 - ***Data Owners***
 - Enter and maintain data in WasteLAN, and
 - Assume responsibility for complete, current, consistent, and accurate data.
 - ***OSRTI Regional Centers***
 - Measure regional data entry quality and records management quality and assist regions with problems,
 - Report data problems to Data Sponsors and responsible teams, and
 - Sample data quality and records management quality when visiting regions by tracking selected dates of a transaction in WasteLAN to the corresponding dates of the supporting paper document to ensure there is “objective” evidence to support accomplishment data entered in WasteLAN.

II.G.2. Program Performance

HQ and the regions have different roles and responsibilities in evaluating and managing Superfund program performance, as shown in Exhibit II.4.

**EXHIBIT II.4.
EVALUATION RESPONSIBILITIES**

Regional Responsibilities	HQ Responsibilities
<p>Meet semi-annual program targets and solve performance problems when they arise</p> <p>Provide quarterly accomplishment and planning data to HQ through WasteLAN</p> <p>Maintain WasteLAN data quality at high levels for Superfund program and project management</p> <p>Negotiate performance standards that provide individual accountability for targets</p> <p>Assess federal agency needs identified during the FEDPLAN and OMB Circular A-11 processes</p> <p>Participate in the regional reviews</p>	<p>Provide guidance to the regions for the quarterly reporting, the mid-year assessment, the year-end assessment, and regional reviews</p> <p>Implement and report on follow-up action items from the Superfund mid-year assessment and regional reviews</p> <p>Review performance data reported by the regions and assist regions having difficulties in meeting targets</p> <p>Conduct regional reviews</p> <p>Continually assess program performance and analyze timeliness and quality of work</p> <p>Recommend resource reallocation based on regional needs and performance</p> <p>Assure that all staff are informed of results of performance reporting</p> <p>Examine federal agency budget authorities, obligations, and outlays to monitor cleanup activities</p>

The Superfund evaluation process provides managers with an opportunity to meet program objectives by:

- Examining program accomplishments,
- Analyzing and discussing issues that affect the successful operation of the Superfund program, and
- Initiating changes in program operations or reallocating/redirecting resources.

The strategy for assessing the performance of the Superfund program is comprised of the following:

- Establishing semi-annual and annual targets and planning measures,
- Quarterly reporting of response, Federal facilities, and enforcement program accomplishments and planning measures through WasteLAN;
- Semi-annual performance evaluation; and
- Regional reviews.

This strategy enables management to recognize high performance, concentrate Superfund resources in those regions that demonstrate success, and provide training and technical assistance to those regions that are experiencing difficulties.

II.H. PROCEDURES FOR ANNUAL TARGET SETTING

The process for developing GPRA annual performance goals and measures for a FY begins with the Strategic Plan. National annual performance goals are established to support the program's Strategic Plan and provide the basis for out-year budget requests. In the regions, a joint review of commitments should be undertaken by the program office and ORC. The dates for pulling WasteLAN data that will be used in developing the proposed regional operating plan, generating the regional workload and budget, and work planning can be found in the "Manager's Schedule of Significant Events" presented at the beginning of this Manual.

The region's focus in work planning should be on its individual pipeline (e.g., more site assessments or more construction completion oriented), the overall goals and priorities of the program including GPRA objectives and sub-objectives, and how it can achieve its portion of the national effort given proposed resources. HQ compares regional plans with program goals and resource allocations. In addition, HQ reviews past regional accomplishments, historical obligation trends, and planned durations/dollars to ensure that the region is planning the appropriate amount of work given the dollars it is requesting. This provides HQ with a benchmark going into work planning on what the region should be able to accomplish based on its unique pipeline status.

II.I. WORK PLANNING

Regions are required to keep the planning and accomplishment data in WasteLAN current, complete, consistent, and accurate. Changes in planning information (schedules and funds) should be entered into WasteLAN within five working days after the data owner (e.g., Remedial Project Manager [RPM]/On-Scene Coordinator [OSC]/Site Assessment Manager [SAM]) is aware of the need for the change.

II.I.1. Planning Process

Exhibit II.5 outlines the steps a region must go through as part of its work planning responsibilities. As a final check to ensure that planning data are current, complete, consistent, and accurate, regions should routinely generate SCAP, Enforcement, and Audit reports. At an absolute minimum, reports should be generated prior to headquarters development of the proposed operating plan and in late June for internal review of the planning data in WasteLAN. These planning data should reflect any adjustments made to the annual plan.

As designated, headquarters pulls SCAP and Enforcement reports from WasteLAN. The data in these reports serve as the basis for HQ/regional work planning. Headquarters will lead all work planning sessions based on the information in WasteLAN on these pull dates.

EXHIBIT II.5.
PROCEDURES FOR FY 06/07 TARGET SETTING

Month	Regional Responsibilities	HQ Responsibilities
April/May	Consult with states and ORC on FY activities	Prepare program and enforcement regional operating plan based on average regional obligations/tasking in the current year, projections for the upcoming years, and considering prior year expenditures. Analyze regional pipelines
May/June	Update site schedules and funding needs based on plan, regional pipeline, and national goals and priorities	Issue Call Memorandum outlining work planning process and procedures for work planning sessions
July/August/September	Regions enter draft GPRA commitments into BAS by July 1. Identify primary candidate for each target/measure activity by checking the target icon box on the Regional Planning screen. Primary projects have the greatest likelihood of meeting schedules and are used to determine SCAP commitments. Enter proposed commitments for work planning. Primary candidate counts become the basis for commitments once target lockout is selected. These counts can be modified and non-site-specific target/measure activity counts can be added via the Regional Planning estimates/targets screen. Participate in work planning sessions to establish final targets and budget for GPRA and non-GPRA measures. Regions and HQ agree on final GPRA commitments by September 30.	Review regional plans in WasteLAN and pipeline workload and budget Review past regional accomplishments and planned durations/dollars Review regional requests for budget reserve Conduct regional conference calls on the results of the analyses Participate in work planning sessions to establish final targets and budget
October/November	Update primary candidate designations and budget data as necessary based on results of work planning sessions.	

WasteLAN data quality problems that affect the SCAP report update shall be resolved prior to the work planning meetings. These problems are to be resolved on a region-specific basis through telephone calls between HQ and the IMC or program manager.

II.I.2. WasteLAN Reports for Planning/Target Setting

Exhibit II.6 presents the WasteLAN reports used by headquarters and the regions in the establishment of regional targets/measures. Following is a description of these reports:

- The *Site Summary Report* (SCAP-02) is used by EPA to display enforcement sensitive WasteLAN data for NPL and non-NPL sites.
- The *Response Financial Report* (SCAP-04R), *Federal Facility Financial Report* (SCAP-04F), *Removal Financial Report* (SCAP-04M), and *Enforcement Financial Report* (SCAP-04E) aggregate dollars by program area and provide both site-specific and non-site specific backup from WasteLAN. These reports should be used to compare the funding requests with the regional budgets.
- The *Site Assessment Report* (SCAP-13) is used by EPA for reporting estimates, plans, and accomplishments for SCAP measures. The information provided by this report is used in conjunction with the SCAP-14 report to encompass the entire range of targets and measures.
- The *Superfund Accomplishments Report* (SCAP-14) is used by EPA to track targeting, planning, and accomplishment actions in support of the Response, Enforcement, and Federal facility programs.
- The *GPRA Report* (SCAP-15) is used by EPA to track GPRA performance goals and measures in support of the Response program.
- The *Reconciliation (SCAP-14 Audit) Report* (SCAP-16) is used to extract all potential candidates for a SCAP-14 category and provide the user with the ability to determine the way in which the action will be selected or eliminated based on the values or lack of values in the Select Logic columns.
- The *Cost Recovery Targeting Report* (ENFR-17) estimates potential targets for cost recovery.
- The *Enforcement Measures of Success Report* (ENFR-62) provides the potential PRP oversight targets.
- The *Federal Facility Accomplishments Report* is a subset of the SCAP-14F report. It includes several extra categories concentrating specifically on accomplishments at Federal facility sites (NPL, non-NPL, and BRAC)
- The *Federal Facility Audit Report* lists all of the Federal facility data issues detected in CERCLIS/WasteLAN for the selected FY.

EXHIBIT II.6. PLANNING/TARGET SETTING WasteLAN REPORTS

SCAP-2:	Site Summary Report
SCAP-4E:	Enforcement Financial Report
SCAP-4F:	Federal Facility Financial Report
SCAP-4M:	Removal Financial Report
SCAP-4R:	Remedial Financial Report
SCAP-13:	Site Assessment Report
SCAP-14:	Superfund Accomplishments Report
SCAP-15:	GPRA Report
SCAP-16:	Reconciliation (SCAP-14 Audit) Report
ENFR-17:	Cost Recovery Targeting Report
ENFR-62:	Enforcement Measures of Success Report
N/A	<u>Federal Facility Accomplishments Report</u>
N/A	<u>Federal Facility Audit Report</u>

II.J. REGIONAL ACCOMPLISHMENT REPORTING

Accomplishments data are entered into WasteLAN by the IMC, RPM, OSC, SAM, or other designated program staff (e.g., PRP search, cost recovery). **Data on accomplishments should be entered into WasteLAN within five working days of the action occurring except when otherwise noted in the Timeliness tables.** However, data for documents that are completed at the end of the quarter must be entered within five work days of the end of the quarter. **Only accomplishments correctly reported in WasteLAN will be recognized by HQ.** If a region feels that it has correctly recorded an accomplishment that is not showing in the WasteLAN reports for accomplishment reporting, please contact the appropriate HQ office.

Regions should perform data quality checks and make adjustments to WasteLAN if the database does not reflect actual accomplishments. In any event, regions need to be sure the information reflected in WasteLAN is up-to-date and accurate. Where problems occur that cannot be fixed, regions should immediately notify the appropriate HQ program office.

Preliminary end-of-year accomplishments will be pulled on the fifth working day of September; it is the starting point for preparing for the end-of-year assessment in November. Since many senior managers and Congress request final accomplishments immediately following the end of the year, WasteLAN accomplishment reports for GPRA performance goals will be pulled on the fifth working day of October. All other regional accomplishment reports will be pulled on the tenth working day of October. These accomplishments will be reported in late October to mid-November (see “Manager’s Schedule of Significant Events” at the beginning of this Manual for specific dates). This allows the regions ample opportunity to review end-of-year financial data, ensure that all accomplishments are accurately reflected in WasteLAN, and determine when the commitments were met. In addition to reporting accomplishments in WasteLAN, regions will also report GPRA accomplishments in BAS.

II.J.1. WasteLAN Reports for Accomplishment Reporting

Exhibit II.7 presents the WasteLAN reports headquarters uses to evaluate regional accomplishments. All are used for reporting and crediting accomplishments for targets and measures. Following is a description of these reports:

- The *SCAP Response Financial Report* (SCAP-04R), *Federal Facility Financial Report* (SCAP-04F), *Removal Financial Report* (SCAP-04M) and *Enforcement Financial Report* (SCAP-04E) aggregate dollars by program area and provide both site-specific and non-site-specific backup from WasteLAN. These reports should be used to compare the funding requests contained in WasteLAN to the regional budgets. Regions are prompted for “Approved” or “Alternate.”
- The *Site Assessment Report* (SCAP-13) is used by EPA for reporting estimates, plans, and accomplishments for SCAP site assessment measures.
- The *Superfund Accomplishments Report* (SCAP-14 and 14F) is used by EPA to track targeting, planning, and accomplishment actions in support of the Response, Enforcement, and Federal facility programs.
- The *GPRA Report* (SCAP-15) is used by EPA to track GPRA performance measures in support of the response program.
- The *Reconciliation (SCAP-14 Audit) Report* (SCAP-16) is used to extract all potential candidates for a SCAP-14 category and provide the user with the ability to determine the way in which the action will be selected or eliminated based on the values or lack of values in the Select Logic columns.
- *Settlement Master Report* (ENFR-3) - This report lists all settlements to date. Data are divided by settlement category and summarized by FY, region, and remedy.
- *De Minimis Settlement Report* (ENFR-07) - This report lists all the de minimis settlements including the number of parties.

- *Administrative/Unilateral Orders Issued Report* (ENFR-25) - This report lists AOs and UAOs that have been issued.
- *Enforcement Measures of Success Report* (ENFR-62) - This report allows regions to report progress on measures of success relating to enforcement fairness and trust fund stewardship.
- The Federal Facility Accomplishments Report lists the planned and actual accomplishments for all NPL, non-NPL and BRAC sites within the selected FY.
- The Federal Facility Audit Report lists all of the Federal facility data issues detected in CERCLIS/WasteLAN for the selected FY.

**EXHIBIT II.7.
REGIONAL ACCOMPLISHMENTS WASTELAN REPORTS**

SCAP-4E:	Enforcement Financial Summary Report
SCAP-4F:	Federal Facility Financial Summary Report
SCAP-4M:	Removal Financial Summary Report
SCAP-4R:	Remedial Financial Summary Report
SCAP-13:	Site Assessment Report
SCAP-14/14F:	Superfund Accomplishments Report
SCAP-15:	GPRA Report
SCAP-16:	Reconciliation (SCAP-14 Audit) Report
ENFR-03:	Settlements Master Report
ENFR-07:	De Minimis Settlement Report
ENFR-25:	Administrative/Unilateral Orders Issued
ENFR-62:	Enforcement Measures of Success Report
<u>ENFR-66:</u>	<u>RA Start Report</u>
<u>N/A</u>	<u>Federal Facility Accomplishment Report</u>
<u>N/A</u>	<u>Federal Facility Audit Report</u>

II.K. HQ EVALUATION OF REGIONAL PERFORMANCE

Accomplishment data associated with targets/measures are pulled from WasteLAN at the close of business of the fifth working day of the quarter; **therefore, it is necessary that the regions update their accomplishments data as accomplishments occur, but in no case later than quarterly prior to the fifth working day pull date. HQ management tracks and bases its evaluation of regional program performance on these data.** The data are pulled on a selected number of key indicators of progress in the Superfund program (e.g., construction starts and completions, removal completions, site characterization starts, response settlements and referrals, RODs, and cost recovery activities). These numbers are the official numbers used in any reports of progress given to the Administrator, Deputy Administrator (DA), AAs, Congress, and the media. Detailed HQ management evaluation occurs at two points during the FY: after the second quarter (mid-year assessment) and after the fourth quarter (end-of-year assessment). (See Exhibit II.8.) In addition, headquarters may conduct regional reviews in FY 06/07.

II.K.1. Mid-Year Assessment

The purpose of the mid-year assessment is to evaluate the utilization of regional programmatic budgets. Specifically, the mid-year assessment will be used to:

- Provide both headquarters and the regions with an opportunity to assess performance,
- Provide data to headquarters and the regions to make decisions on distribution of remaining budget,
- Consider the impact of regional program performance on the Superfund pipeline,

- Work with regions experiencing difficulty in meeting their targets, and
- Identify trends in program performance and adjust program management strategies accordingly.

On the fifth working day of April, second quarter SCAP data are pulled from WasteLAN. Following the mid-year assessments, OSRTI, FFEO, FFRRO, and OSRE Directors brief the AA OSWER or AA OECA on the steps being taken to ensure the accomplishment of annual targets. To ensure that these actions are implemented, HQ will track follow-up items and reallocate resources. The results of the mid-year assessment can result in increases or decreases to third or fourth quarter AOAs based on regional GPRA performance and obligation rates. The measure of a region's ability to meet their targets will be considered in October/November when final proposed FY commitments and regional budgets are established for the year.

II.K.2. End-of-Year Assessment

Before the end of the fourth quarter, there is a preliminary pull for end-of-year accomplishments (the first week of September). This pull is used to project end-of-year accomplishments. It is important to stress that this is only a projection and that the actual pulls, on the fifth and tenth working days of October, are likely to be somewhat different than the projected numbers. Since many Superfund managers and Congress request final accomplishments immediately, regions should make every attempt to update WasteLAN at the earliest possible date, and, in any event, no later than the fifth working day after the end of the FY for GPRA performance measures and goals.

EXHIBIT II.8. THE REGIONAL EVALUATION PROCESS

1st Quarter	<ul style="list-style-type: none"> ▪ Pull WasteLAN reports on GPRA/program accomplishments
2nd Quarter Mid-Year Assessment	<ul style="list-style-type: none"> ▪ Pull WasteLAN reports on GPRA/program accomplishments and Internal Measures ▪ Perform regional mid-year reviews ▪ Evaluate program status ▪ Brief senior management
3rd Quarter	<ul style="list-style-type: none"> ▪ Pull WasteLAN reports on GPRA/program accomplishments ▪ Report on progress of regions having difficulties meeting targets
4th Quarter End-of-Year Assessment	<ul style="list-style-type: none"> ▪ Pull WasteLAN reports on GPRA/program accomplishments and internal measures ▪ Develop senior management reports package ▪ Evaluate annual performance status ▪ Evaluate annual performance and produce national progress report ▪ Provide input into next FY work planning ▪ Brief senior management

In November, **each Superfund program** conducts the official end-of-year assessment. This assessment is an integrated analysis of program performance activities for the year. The purpose of the end-of-year assessment is to emphasize pipeline issues (e.g., slipped targets and their impact on commitments for the next year). ***Missed targets may have resource implications for the next FY.*** The end-of-year review also notes progress toward implementing strategies identified in the mid-year assessment, and identifies regions that might require additional HQ assistance as the new FY begins.

HQ considers the end-of-year assessment in developing the final GPRA annual performance goals. In this way, the results of the end-of-year assessment have a double impact.

II.K.3. Management Reporting

The following sections provide a brief description of the reports available to support Superfund program management.

a. Superfund Management Reports

The implementation of an integrated WasteLAN data base and the improvement of WasteLAN data quality led to the development of a series of senior management reports. These management tools are designed to supplement conventional quarterly accomplishment reporting by providing a more comprehensive examination of program activity. The format and content of the reports has evolved over time to address a variety of project needs, providing EPA senior managers with summary graphic reports and backup site detail information.

The reports provide graphical representations of the status of targets and accomplishments, as well as analytic summaries of key aspects of the program including: status and duration of events; trend analysis of PRP involvement; cost recovery candidates; base closure joint indicators of progress; and the current status of negotiations, settlements, and litigation.

The reports, produced daily through Superfund eFacts (currently in development), illustrate the progress being made by the Agency in both the movement of projects through the Superfund pipeline and in the trend toward increased involvement by PRPs. Superfund eFacts provides information on site assessment, Federal facilities, construction completions, and SCAP and GPRA accomplishments. The data is available in regional, state, or national views.

Additional management reports produced by OSRE include:

- *Cost Recovery Targeting Report (ENFR-17)* - This report estimates potential targets for cost recovery.
- *ROD Amendment and RD/RA Negotiations Report (ENFR-22)* - This report is used to track RD/RA negotiation progress. The report is categorized into RD/RA negotiations started from signed ROD and No RD/RA negotiations started from signed ROD.
- *Ongoing RD/RA Negotiations Timeline (ENFR-11)* - This report is used to track the duration of ongoing RD/RA negotiations. The report shows categories of duration (e.g., between 60 and 120 days).

Additional management reports produced by FFRRO include:

- *Federal Facility Five Year Review Status Report* - This report lists the status of all the planned and completed Federal facility Five Year Reviews.
- *Federal Facility FOST/FOSL/EBS Report* - This report lists the Environmental Baseline Survey (EBS) completion date and all of the Findings of Suitability to Transfer (FOST), Findings of Suitability to Lease (FOSL) and Findings of Suitability to Early Transfer (FOSET) that EPA has concurred on in the selected FY.

- *Federal Facilities Site Summary Report* - This report summarizes all the actions, EBSs, FOSTs, FOSLs, FOSETs and Supplemental, Environmental Projects (SEPs) for the entire history of all the Federal facilities in the selected region(s).

b. Annual Reporting Requirements

Each year in November, the Agency is required to submit to the President and Congress a GPRA annual performance report that summarizes the program performance for the fiscal year **just ended**. Specifically, the Annual Report (a) reviews the success of achieving the program's objectives and sub-objectives during the fiscal year; (b) evaluates the annual performance plan for the current fiscal year relative to the performance achieved toward the performance objectives and sub-objectives in the fiscal year covered by the report; and (c) explains and describes where a performance objective/sub-objective has not been met, why it was not met, and those plans and schedules for achieving it. The Annual Report is published by OCFO based on information provided by OSWER, OECA, and other EPA offices.

II.L. TARGET AND DEFINITION CHANGE REQUESTS

After targets have been finalized and funding levels developed, the SCAP process provides certain flexibility to modify plans during the year. Modifications to planned GPRA annual performance goals are termed change requests. *Regional requests for changes to targets established in the annual plan must be forwarded in writing from the regional division director to HQ OEM, OSRTI, OECA, or FFRRO office directors, as applicable, when the region is unable to make a site substitution for a target. Site substitutions are not allowed for five-year review targets. Sites targeted for five year reviews must be completed by the "due date" (planned completion date) established for each site.*

Any exceptions to the accomplishment definitions contained in the Appendices to this Manual are considered target definition changes. Regions also should note that changes made in WasteLAN to site schedules and other planning data will not automatically result in changes to targets.

Target changes that modify the region's AOA require a financial change request. In these situations, the financial change request becomes the target change request. Chapter III outlines the change request procedures.

Although regions have the flexibility to alter plans, they are still accountable for meeting the targets established at the beginning of the FY. Changes to commitments should not be made simply because targets will not be met. Regions should discuss with HQ during the mid-year reviews any issues that may affect the meeting of negotiated annual targets.

In some cases, however, changes to targets may be necessary and may be revised under the following conditions:

- Major, unforeseen contingencies arise that alter established priorities (e.g., Congressional action, natural disasters);
- Major contingencies arise to alter established regional commitments (e.g., state legislative action);
- Measure or definition in system is creating an unanticipated negative impact;
- Major shifts in project approach; or
- Need to address newly identified site which represents a significant human health or ecological risk.

OSRTI, OECA, and FFRRO require that all target and definition changes be submitted to HQ no later than July. Optimally, such requests should be submitted during discussions with HQ during mid-year reviews.

Regions should not initiate any obligations against change requests until the HQ Office of the Comptroller (OC) and the director of the appropriate office approves the revised AOA in IFMS. The site back-up in WasteLAN should be revised by the region if the change is approved.

Under the Superfund remedial Pipeline Operations AOA allocation methodology, regions are allocated resources based in part on their targets for specific actions (e.g., RI/FS, RD, EE/CA) at specific sites. Because of this approach, regions have flexibility to alter their plans regarding at which sites they conduct work, but they may not change the overall numerical target within each action category once the Pipeline Operations AOA resources are distributed among the regions. The extent to which a region meets or exceeds its target will have funding implications in the next year's distribution of Pipeline Operations AOA resources.

II.L.1. Maintaining the Planning Estimates/Targets

Regions are responsible for initiating the work planning process and for entering the preliminary and final targets into WasteLAN. Prior to work planning sessions with headquarters, regions can use the Regional Planning screen to identify which sites meet the planning logic as potential accomplishments for the upcoming FY. From this universe of sites (shown in red as Planning Data on the Regional Planning screen), regions can identify primary candidate sites — those that are most likely to be accomplished. After identifying primary candidates (shown in blue on the Regional Planning screen), the regions can then use the target lockout feature found on the Regional Planning screen to copy the primary candidate number to the Planning Estimates/Targets screen. This number is used as a starting point in identifying the region's planning estimates/targets during work planning sessions. After work planning sessions are completed, regions use the Planning Estimates/Targets screen to make any necessary changes. Once changes have been made and final targets/planning estimates are reviewed by headquarters, headquarters will “lock out” regions (i.e., regions will not be able to make any changes to these numbers). This final number is shown in red on the Accomplishments Tracking screen as the Planning Estimates/Target number. During the FY if changes have been made to the number of target commitments approved, HQ will “unlock” the target numbers allowing the region to make the approved change(s), then “relock” the screens.

In general, HQ requires some site-specific targeting. The four instances are Pipeline Operations AOA targets, cost recovery actions at sites with potential statute of limitations (SOLs) so that they will be addressed prior to the expiration of the SOL, de minimis settlements, and PRP Oversight Administration for each enforcement agreement. Changes to sites identified as targets for the latter three measures require HQ approval.

II.M. SPECIAL REPORTING TOPICS

II.M.1. Site Assessment

As the nature of site assessments change, new reporting and accountability challenges to accurately portray the extent of state, federal and local government site assessment activities need to be addressed. Traditional CERCLA-reported site assessment accomplishments, including integrated assessments, should continue to be entered into WasteLAN when they occur. As regions provide states flexibility in cooperative agreement applications and work plans by expanding the definition of types of assessment activities to be performed, the states also need to be accountable for the activities performed and provide quarterly or annual reports of the number of sites assessed, types or nature of assessments performed, and assessment results. Management systems at the state level similar to and compatible with the federal level will be needed to provide the necessary accountability and to identify program accomplishments.

II.M.2. Base Realignment and Closure Facilities

To sustain and streamline military readiness, the Department of Defense (DoD) recognized the need to close or realign some installations and redefine the Department's mission at others. Congress agreed on five rounds of BRAC actions in 1988, 1991, 1993, 1995, and 2005. EPA provides assistance to DoD at particular installations closed or realigned pursuant to a base closure law that require some level of environmental cleanup and the transfer of excess property. EPA regions are required to report on several activities that are conducted at BRAC installations in support of cleanup and property reuse (see Appendix D). WastELAN has been modified to include these items. Additional information about EPA's BRAC Program can be found at:

<http://www.epa.gov/fedfac/documents/baseclosure.htm>

II.M.3. Pre-SARA Sites Initiative

The Superfund remedial program has developed a pre-SARA site initiative to promote the resolution of issues which have delayed the completion of construction at hundreds of sites across the country. Prior to the enactment of the Superfund Amendments and Reauthorization Act of 1986 (October 16, 1986), EPA listed 716 sites (including 4 Federal facility sites) on the National Priorities List. At the end of FY 2004, there were 172 pre-SARA sites not yet construction complete or deleted (including one RCRA deferral site). OSRTI plans to work with the regions to support resolution of the obstacles which remain to completing the sites, and continuing the annual progress with these sites.

II.M.4. Mega-Sites

Generally, a site is considered to be a mega-site if the combined extramural, actual and planned, removal and remedial action costs incurred by Superfund or by PRPs are greater than \$50 million. The mega-site designation may be applied to any Federal or non-Federal facility NPL or non-NPL site. For the purposes of reporting in CERCLIS, a site is defined as a mega-site (MS) if:

- the cumulative value of the extramural capital costs of all selected remedies (as expressed in decision documents such as RODs, ROD amendments, or action memoranda) exceeds \$50 million; OR
- the cumulative estimated value of all PRP or Federal facility actual and expected extramural capital costs (as memorialized in documents such as settlements, orders, or MOAs) for removal or remedial action response activities (excluding long-term response) at the site exceeds \$50 million; OR
- the cumulative value of net actual extramural obligations for fund-financed removal and remedial actions (excluding LTRA) at the site exceeds \$50 million; OR
- the cumulative estimated value of post-ROD (or post-action memorandum), removal, and remedial action obligations (excluding LTRA) planned in CERCLIS for the selected remedies at the site exceeds \$50 million; OR
- the cumulative value of any combination of the above costs exceeds \$50 million.

A site is defined as a potential mega-site (MP) if the region, using its best judgment, expects that the total costs of removal and remedial actions will exceed \$50 million, but the documentation of actual or expected costs (e.g., through decision or settlement documents or actual obligations) does not currently exist. Once such documentation is developed, the site should be reclassified as MS. Conversely, if new information suggests that the site is not a mega-site, the designation of MP or MS should be removed. During annual work planning discussions between regions and Headquarters, the regions will confirm these designations on a site-specific basis.

II.M.5. Superfund Alternative Sites (Please see Appendices A and B.)

II.N. GENERAL WORK PLANNING AND REPORTING REQUIREMENTS

The following section discusses some general work planning and reporting requirements of the various Superfund offices.

II.N.1. Data Lockout on Historical Accomplishments

WasteLAN has a historical accomplishment lockout feature that logs and controls changes to Superfund data sensitive to Congressional inquiry. This feature uses the Accomplishment Change Log Screen and reports that list all changes that have been made to historical accomplishments data. A regional manager for Superfund shall approve either in writing, or using the management review function in WasteLAN, each data change made by a region to locked historical data. Only regional IMCs, individuals designated by the IMC, and remedial project managers (RPMs) shall have access/authority to change/add/delete their own region's data via a WasteLAN Smart Screen once written approval has been received. All other regional personnel will be denied access to the change system. Written approval documents or records of approval via WasteLAN management review must be maintained by the IMC for the duration of the life cycle of the data changed (up to seven years).

Please Note: *In regions that use Management Review*, RPMs will be able to make changes to prior year accomplishment data via the Accomplishment Change Log Screen. All changes made by RPMs will, however, need to be approved by the Regional Manager Reviewer.

Each region will establish a policy or procedure to ensure that the appropriate people have knowledge of and approve of the change. All approval documents must bear a System Generated Reference Number or Document Number.

II.N.2. Data Validation and Verification

GPRA requires that an agency address its verification and validation procedures for performance data in the annual performance plan. WasteLAN data verification and validation procedures were incorporated as part of the Superfund program's submission to the EPA's annual performance plan.

A key component of WasteLAN verification/validation procedures is the regional CERCLIS Data Entry Internal Control Plan. The control plans include: (1) regional policies and procedures for entering data into WasteLAN, (2) a review process to ensure that all Superfund accomplishments are supported by source documentation, (3) delegation of authorities for approval of data input into WasteLAN, and (4) procedures to ensure that reported accomplishments meet accomplishment definitions. Also, regions documented in their control plans the roles and responsibilities of key regional employees responsible for WasteLAN data (e.g., regional project manager, information management coordinator, supervisor, etc.), and the processes to assure that WasteLAN data are current, complete, consistent, and accurate.

With the increased emphasis on verifiable and validated data by GPRA, the program offices are requesting that the regions review their current CERCLIS Data Entry Internal Control Plans and update their control plans according to the requirements listed above.

In addition, regions are required to submit to their regional Superfund Records Center the document that constitutes or justifies an accomplishment date (actual start or actual complete) recorded in WasteLAN. (Documentation requirements for these dates can be found in the Appendices to this Manual in the "Definition of Accomplishment" section of the applicable target or measure.) When submitting the documentation to its record center, the region should provide the target/measure category and the WasteLAN Operable Unit (OU)/action name/sequence number. The regional Records Center is to include these SCAP data with the document index data, and provide the document index number from its tracking system for entry into WasteLAN associated with the applicable accomplishment date.

II.N.3. Action Lead Codes

Action lead codes identify the entity performing the work at the site. Exhibit II.9 shows the valid project/action lead codes in WasteLAN.

A lead code must be placed in WasteLAN for all actions. Only the leads that are valid for the chosen action can be entered. Leads are not required for subactions. Regions have the ability to code the lead for project support activities (e.g., community relations, support agency assistance, etc.) based on regional preference. All enforcement actions (e.g., orders, decrees, PRP searches, etc.) performed by EPA should have a lead of “FE” (federal enforcement). All enforcement actions conducted by the state should have a lead of “SE” (state enforcement). WasteLAN should not contain planned obligations for projects with “SR” or “SN” leads. No funds will be provided for activities with these leads.

The Agency acknowledges that states can and have assumed the lead role in reaching an agreement with the PRPs for response activities at NPL sites without negotiating a cooperative agreement or other formal agreement with EPA (SR-lead). However, the NCP has determined that in the absence of a formal agreement the state will not be officially recognized as the “lead agency” for the project and EPA will not concur on the remedy selected.

EXHIBIT II.9. ACTION LEAD CODES IN WASTELAN

Lead	Definition
F	Fund-financed response actions performed by EPA (applies to response actions)
RP	PRP- financed response actions performed by the PRP under a <u>federal</u> order/ CD (applies to response actions)
S	Fund- financed response actions performed by a state. Money provided through a cooperative agreement (CA) (applies to response actions)
PS	PRP-financed response actions performed by PRP under a state order/ CD with PRP oversight paid for or conducted by EPA through an EPA CA with the state, or, if oversight is not funded by EPA, a state Superfund Memorandum of Agreement (SMOA) or other formal document between EPA and the state exists which allows EPA review of PRP deliverables (applies to response actions)
SN	State-financed (no Fund dollars) response actions performed by the state (applies to response actions)
SR	PRP response under a state order/ CD where no EPA oversight support or money is provided through a CA and no other formal agreement exists between EPA and the state (applies to response actions)
CG	Work performed by the Coast Guard - Limited to removals (applies to response actions)
MR	Work performed by PRP under a <u>federal</u> CD with an agreement that the Fund will provide some reimbursement to the PRP (preauthorization for mixed work).
SE	Enforcement actions performed by a state. Money provided through a CA or, if not funded by EPA, a comparable enforcement document exists (applies to RODs and enforcement actions)
FE	Enforcement actions performed by EPA or work done by enforcement program at private or Federal facilities sites (applies to RODs and enforcement actions). Historically (pre-FY 89) applied to RI/FS and RD response actions.
EP	Response actions performed by EPA using in-house resources
FF	Response actions performed by the Federal facility with oversight provided by EPA and/or the state/ <u>tribe</u> at sites designated as Federal facilities (also applies to RODs at Federal facilities)

TR	Indian Tribal Governments
CO	Community Organization (only valid for community involvement activities)
SD	State Deferral is a PRP- or state-financed response action at a non-NPL or proposed NPL site overseen or conducted by the state pursuant to a deferral agreement with the region.
SC	State ROD with EPA concurrence
SW	State ROD without EPA concurrence
SA	PRP-financed actions from a special account performed by EPA, where the majority ^a of funding is disbursed from a special account (applies to response actions).
SG	PRP - financed actions from a special account performed by the United States Coast Guard, where the majority ¹ of funding is disbursed from a special account - Limited to removals (applies to response actions).
ST	PRP-financed actions from a special account performed by tribal governments, where the majority ¹ of funding is disbursed from a special account (applies to response actions)
SS	PRP-financed actions from a special account performed by a state, where the majority ¹ of funding is disbursed from a special account. Money provided through a cooperative agreement (CA) (applies to response actions)

II.N.4. Lead Changes

A takeover or lead change occurs when the entity performing a response action changes after the action has started and credit has been given. Typically, this occurs when a settlement with the PRP is reached after the action has started. It may also occur when the Fund assumes an RP-lead project because of non-compliance with an administrative order (AO) or consent decree (CD).

In order to avoid delays resulting from PRPs assuming the lead during a discrete phase of the project (a takeover), a policy has been established that limits lead changes from EPA to PRPs in the middle of a phase of the Superfund process, except in situations where the change will not cause undue delays (OSWER Directive 9800.1-01, *Limiting Lead Transfers to Private Parties During Discrete Phases of the Remedial Process*, November 14, 1991). The policy applies to lead changes from EPA to PRPs only, not EPA takeovers of PRP work or lead changes involving states.

^a Majority is defined to mean that the contribution from the special account for the total response cost (including direct and indirect costs) would meet or exceed the amount contributed by the largest non-PRP entity (i.e., EPA or state, where applicable). For example, for a remedial action, based on the total estimated response cost, if 50% of that cost is derived from a special account, and 45% of the response cost is paid for out of Fund monies, and the state pays the remaining 5% share of the response cost, the majority of the response cost is being paid out of the special account. The appropriate use of special account funds is provided in the "Guidance on Key Decision Points in Using Special Account Funds" dated September 28, 2001.

It is expected that many of the early site assessment activities will be Fund-lead. However, response lead changes (i.e., changeovers) can occur at any of the following points in the process:

- Prior to development of an EE/CA for an NTC removal action;
- Prior to the ESI/RI or RI/FS;
- Prior to the FS if the RI and FS are being done separately;
- After the ROD is signed and prior to beginning the RD or RA; or
- Prior to RA contract solicitation, when funding the RA would have significant implications for the Fund and when no significant delays will occur.

When circumstances warrant passing the lead to PRPs during a phase of cleanup, steps should be taken to minimize potential causes of delay. For example, if PRPs assume the lead during the RI/FS, they should be given a limit of 60 days to enter into an administrative order on consent (AOC) for performing the work.

If a PRP is allowed to take over a response action after dollars have been obligated, the region should retain the funds needed for oversight of the entire PRP action and deobligate the rest. Funds that are deobligated may be recertified to the region's AOA pursuant to the Agency's deobligation policy.

When dollars were originally obligated for Fund-financed actions and a takeover occurs, regions will have to request a change in the account number through their regional Financial Management Office (FMO). The action code within the account number changes if the Agency is acting in an oversight role as opposed to performing the response action.

RP-lead projects that are deficient or where the PRPs are recalcitrant may be addressed by the response program. If the project requires substantial Fund involvement to correct, it should be coded as a takeover in WasteLAN.

If a takeover of an action does occur, a new action must be created in WasteLAN. A takeover does not create a new OU. The completion date of the original action must be the same as the start date of the new action. Takeover/Phased Indicators must be entered with both actions. The "Original Action Takeover (TO)" indicator is used to flag the original action which has the change in lead, whereas a "New Action Resulting from Takeover (TN)" indicator is used to flag the new action.

On rare occasions, an action that has been taken over requires an additional lead change. For example, EPA reaches settlement with the PRPs after a Fund-financed action has begun. After the PRPs start work, EPA experiences problems with the PRPs in meeting deadlines or in the quality of the work. As a result, EPA makes a decision to take over the PRP- financed action. The steps to be taken to indicate this scenario in WasteLAN are as follows:

- 1) A new action is added to WasteLAN at the same OU. In our example, a new combined RI/FS with an 'F'-lead would be added.
- 2) The start date of this new action is the date of the takeover.
- 3) A Takeover/Phased Indicator of "New Action Resulting from Takeover (TN)" is entered with the new action.
- 4) The completion date of the latest action that was taken over is the same as the start date of the new action (date of the takeover).
- 5) The Takeover/Phased Indicator of the latest action that was taken over is changed from a "New Action Resulting from Takeover (TN)" to a "Takeover of an Action Taken Over (TT)."

Exhibit II.10 provides an example of the WasteLAN coding. In this situation, no changes are made to the original action.

**EXHIBIT II.10.
CODING OF TAKEOVERS**

Action Takeover							
OU	Action Name	Seq.	Lead	Actual Start	Actual Comp	Takeover/ Phased Indicator	Comments
01	Combined RI/FS	1	F	8/1/97	9/1/97	TO	Fund-financed action being taken over by PRPs
01	PRP RI/FS	1	RP	9/1/97	12/1/97	TT	PRP action initiated and taken over by Fund
01	Combined RI/FS	2	F	12/1/97		TN	Fund-financed action initiated

II.N.5. Anomalies and Phased Projects

Anomalies are those projects that do not fit the normal definitions of pipeline actions. Anomalies can be those projects that 1) do not receive SCAP credit, but still need to be tracked or 2) occur out of the ordinary pipeline progression.

An example of a SCAP anomaly occurs when different entities conduct FS work simultaneously that leads to a single ROD. Since it is inconsistent to give credit for more FS starts than completions (the Agency would have to explain why FS work is not leading to a ROD), only one FS can receive credit for a start and completion. These projects are coded under the same OU with multiple sequence numbers and those FSs that will not receive credit are given a Takeover/Phased Indicator of "Other Start and Completion Anomaly (OA)."

At the RD and RA or FF RD and FF RA stages, a project may be phased or time-sequenced to accelerate the cleanup effort. Phasing is complementary to OUs. Whereas OUs break large, complex projects into smaller, more manageable work elements, phasing is a method to accelerate the implementation of the OUs. Phasing manipulates the internal steps required to complete each OU, thereby optimizing the overall schedule, for example, an RA or FF RA that requires site clearing prior to constructing an incinerator. The clearing would be one phase of the RA or FF RA, while the construction of the incinerator would be a second phase.

Regions enter a separate RA or FF RA for each phase. Phases of each response action are shown in WasteLAN by the use of the Takeover/Phased Indicators of "Phased Start (PS)" and "Phased Complete (PC)" or "Phased Start and Completion (PB)" (See Exhibit II.11). Funding required for each of the phases is tracked against the phase. However, the duration of the project is calculated from the date the first phase started to the date the last phase is completed.

**EXHIBIT II.11.
REMEDIAL EVENTS, ANOMALIES, AND PROJECT PHASING**

OU	Action Name	Seq.	Lead	Plan Start	Plan Comp	Takeover/ Phased Indicator	Comments
01	PRP RI/FS	1	RP	96/2	98/3		
01	PRP FS	1	RP	97/3	98/3	OA	No Credit for Start or Completion
01	PRP FS	2	RP	97/3	98/3	OA	No Credit for Start or Completion
01	R01	1	FE		98/3		
	AN01						
01	RD1		RP	99/1	00/2	PC	PHASE I
01	RD2		RP	99/2	00/3	PS	PHASE II
01	RA1		RP	00/3	01/1	PC	PHASE I
01	RA2		RP	00/3	04/1	PS	PHASE II

II.O. Protocol for Reporting Superfund Data

OSWER and OSRTI front offices continually request accomplishment, budget and site-specific data from the program on a quick turnaround basis. Data provided to OSWER AA needs to be consistent and timely to minimize/avoid confusion with data provided in prior data requests or by more than one entity.

For consistency purposes and to begin to standardize reporting on the Superfund program, data from the fiscal EOY or most recently completed quarter will be used instead of “*ad hoc*” queries generated on the day the request was received. OSRTI will build upon existing “query protocols” and establish new ones for reporting of commonly requested information.

To minimize confusion and deliver the information in a timely manner, all requests for information from OSWER will be routed to the points of contact (POCs) listed below for each type of information reported. The POCs will provide the information to OSWER, consulting with subject matter experts in Headquarters and the regions, as appropriate.

If the data requested exists in SCAP Reports, the SCAP Reports will be used as the source, not “*ad hoc*” queries.

**EXHIBIT II.12.
CONTACTS FOR REPORTING SUPERFUND DATA**

Information Reported	Date of Data	Points of Contact
Historical aggregate CERCLIS data on program accomplishments, GPRA measures, site status (NPL listing, deletion, and other action milestones)	End of Fiscal Year	Bob King (IMB)(703) 603-8792 in coordination with subject matter experts (e.g., Janet Weiner on GPRA measures)
Site-specific information	Ongoing	Rafael Gonzalez (R1,2,6,9,10 Branch) (703) 603-8892 or David Lopez (R3,4,5,7,8 Branch) (703) 603-8707 in ARD
Historical cost information (obligation and expenditure data from prior fiscal years, "total" site cost information)	End of Fiscal Year	Alan Youkeles, BPEB (703) 564-8784
Planned Obligations and Accomplishments for Current and Future Fiscal Years	Quarterly	Melanie Hoff, BPEB (703) 564-8808

II.P. Subject Matter Experts

Exhibit II.12 identifies all SCAP report contacts. Exhibit II.13 identifies the subject matter experts for Chapter II Program Planning and Reporting Requirements.

**EXHIBIT II.13. SCAP REPORT CONTACTS
(Reports Owner: R White)**

Designation	Title	Report/Data Owner
SCAP-2/11/12	Site Summary Report/FOIA	Robert White, (703) 603-8873 Dave Reynolds, (703) 603-8895
SCAP-4E	Enforcement Financial Summary (OECA/OSRE maintains this report)	Alice Ludington, (202) 564-6066
SCAP-4F	Federal Facility Financial Summary	Marie Bell, (703) 603-0050
SCAP-4R	Response Financial Summary Report	Willie Griffin, (703) 603-8911
SCAP-13	Site Assessment Report	Randy Hippen, (703) 603-8829
SCAP-14	The Superfund Accomplishments Report	Robert White, (703) 603-8873 Brendan Roache, (703) 603-8704 Armando Santiago, (202) 564-8002
SCAP-15	GPRA Report	Janet Weiner, (703) 603-8717 Deanna Moultrie, (703) 603-8904
SCAP-16	Reconciliation SCAP 14 Audit Report	Robert White, (703) 603-8873

EXHIBIT II.14. SUBJECT MATTER EXPERTS

Subject Matter Experts	Subject Area	Phone #
Alan Youkeles	Chapter 2 Lead / Cost Information	(703) 603-8784
Art Flaks	Budget Planning & Evaluation	(703) 603-9008
Erin Conley	eFacts	(703) 603- 8928
Dana Stalcup	Emergency Management	(202) 564-2089
Alice Ludington	Enforcement	(202) 564-6066
Marie Bell	Federal Facility Budget Execution	(703) 603-0050
Tencil Coffee	Federal Facility Budget Planning	(703) 603-0053
Tracey Seymour	Federal Facility Measures	(703) 603-8712
Brendan Roache	Federal Facility Response	(703) 603-8704
Willie Griffin	OSRTI Budget Execution	(703) 603-8874
Janet Weiner	OSRTI /GPRA	(703) 603-8717
Julie Roemele	OSRTI Work Planning	(703) 603-9097
Melanie Hoff	Program Evaluation	(703) 603-8808
Rich Norris	Program Planning/EI	(703) 603-9053
Charlotte Englert	Removal	(202) 564-8888
William Finan	Removal	(202) 564-7981
Armando Santiago	Removal	(202) 564-8002
Joan Harrigan-Farrelly	Resource Management	(703) 603-8914
RobinM Anderson	RODs/Remedy Selection	(703) 603- 8747
Charles Sands	RODs/Remedy Selection	(703) 603-8857
Robert White	SCAP Reports Owner	(703) 603-8873
Kevin Hollingsworth	Work Planning	(703) 603-9058